

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
IN AND FOR THE STATE OF UTAH

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CO-OP MINING COMPANY,	:	STIPULATION
Petitioner,	:	Docket No. 84-035
vs.	:	Cause No. ACT/015/025
	:	C 83-5-1-4(3 of 4)
DIVISION OF OIL, GAS,	:	Docket No. 84-034
and MINING,	:	Cause No. ACT/015/021
	:	N 83-5-3-1
Respondent.	:	

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Barbara W. Roberts, Assistant Attorney General, counsel for the Division of Oil, Gas and Mining (Division) for the State of Utah, and Carl E. Kingston, counsel for Co-op Mining Company, hereby stipulate and agree in settlement of the captioned appeal as follows:

1. The Division acknowledges that the number of days during which the failure to abate cessation order, C 83-5-1-4(3 of 4), continued was erroneously set at five (5) days and, in fact, the cessation order violation was abated in one day.


2. The Division further acknowledges that the civil penalty based upon the above finding, should be reduced from \$3,750.00 to \$750.00.

3. Co-op agrees to remit the \$750.00 for C 83-5-1-4 (3 of 4) within 30 days of the date of this agreement.


4. The Division has determined, with regard to N 83-5-3-1, that the presence of the county road as the site over which drainage was leaving the disturbed area does not influence its decision regarding the violation in that the mine pad area and not the road was the origin of the drainage.

5. Co-op agrees to and does hereby withdraw its appeal of N 83-5-3-1 and to forfeit the attendant \$1,540.00 penalty.

DATED this 29 day of June, 1984.



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